

Court No. - 74

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 52088 of 2023

Applicant :- Smt. Reeta Singh

Opposite Party :- State of U.P.

Counsel for Applicant :- Deepak Kumar Singh,A Kumar Srivastava

Counsel for Opposite Party :- G.A.

Hon'ble Vivek Varma,J.

1. Heard learned counsel for the applicant and Sri N.K. Sharma, learned A.G.A. for the State-opposite party.
2. The instant bail application under Section 439 Cr.P.C. has been filed with a prayer to enlarge the applicant on bail in Case Crime No. 552 of 2017, under Section 120-B IPC, Police Station Farah, District Mathura, during the pendency of trial.
3. Counsel for the applicant submits that the applicant has been falsely implicated in the instant case. Earlier the applicant was granted bail by this Court under Sections 406, 409, 420, 467, 468, 471 IPC, Police Station Farah, District Mathura vide order dated 12.10.2023 passed in Criminal Misc. Bail Application No. 41356 of 2023. The instant bail application is necessitated by the addition of one more Section i.e. 120B IPC in the charge-sheet. For the reasons stated in the order dated 12.10.2023, the applicant is entitled for bail. The criminal history of the applicant has been explained in para 9 of the affidavit. The applicant is in jail since 11.01.2023 and in case she is enlarged on bail, she will not misuse the said liberty.
4. Learned AGA has opposed the prayer for bail but could not satisfactorily dispute the aforesaid submissions from the record.
5. Having heard counsel for the parties and having perused the record this Court prima facie finds that the applicant was earlier enlarged on bail by this Court under Sections 406, 409, 420, 467, 468, 471 IPC, Police Station Farah, District Mathura vide order dated 12.10.2023 passed in Criminal Misc. Bail Application No. 41356 of 2023. For the reasons stated in the said order and since, the applicant has remained confined for more than ten months and after submission of the charge-sheet there is no hope of early conclusion of trial, more so when no reasonable apprehension has been brought to the fore by the State that the applicant, if enlarged

on bail, would either tamper with the evidence or delay the trial or intimidate the witness, without commenting on the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail.

6. Let the applicant Smt. Reeta Singh, involved in the aforesaid case be released on bail on her furnishing a personal bond and two heavy sureties each in the like amount to the satisfaction of the court concerned subject to the conditions that she:

(i) shall appear on the date fixed by the trial court;

(ii) shall not tamper with the prosecution evidence;

(iii) shall not pressurize the prosecution witnesses.

7. In case of breach of any of the above conditions, the prosecution shall be at liberty to move bail cancellation application before this Court.

Order Date :- 5.12.2023

S.S.